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In re:

107 EAST 60<sup>TH</sup> STREET ASSOCIATES,

Debtor.

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In re:

107 EAST 60<sup>TH</sup> STREET  
ASSOCIATES, LLC

Debtor.

Involuntary Chapter 7

S.D.N.Y. Case No. 12-14133 (SCC)

Involuntary Chapter 7

E.D.N.Y. Case No. 13-40684 (CEC)

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**NOTICE OF LIMITED APPEARANCE AND DEMAND FOR NOTICE BY ECF AND SERVICE OF PAPERS**

**PLEASE TAKE NOTICE** that the undersigned law firm hereby appears for limited purposes only in the proceedings in the captioned case listed first above under Case Number 12-14133(scc) previously pending against the Debtor 107 EAST 60<sup>TH</sup> STREET ASSOCIATES, before this Court in the Southern District of New York.

The undersigned attorney does NOT appear for any of the parties that may have appeared previously, or for any other party or parties that are named, or are entitled to appear or are entitled to notice, in the captioned case listed first above.

The undersigned attorney does appear for the Petitioning Creditor in the captioned case listed second above under Case Number 13-40684(cec) previously pending against the Debtor 107 EAST 60<sup>TH</sup> STREET ASSOCIATES, LLC, before the Court in the Eastern District of New York; which case was 'closed' and combined and consolidated with the case listed first above before this Court.

The undersigned attorney filed the Involuntary Bankruptcy Petition on behalf of the Petitioning Creditor NIR CAP, LLC (Isaac Eisenberg, Principal) as against the Debtor 107 EAST 60<sup>TH</sup> STREET ASSOCIATES, LLC, before the Court in the Eastern District of New York under Case Number 13-40684(cec).

The Debtor 107 EAST 60<sup>TH</sup> STREET ASSOCIATES, LLC, in the Eastern District Court should not be confused with Debtor 107 EAST 60<sup>th</sup> STREET ASSOCIATES in the Southern District Court, which may be two (2) different entities; one a partnership the other a limited liability company.

The Petitioning Creditor NIR CAP, LLC (Isaac Eisenberg, Principal), in the Eastern District Court should not be confused with the Petitioning Creditor in the Southern District Court, which in fact are two (2) different and distinct entities, with no connection between them.

Despite probable discrepancies and differences of the parties involved, the Court in both cases have consolidated and joined the two (2) cases in the Southern District Court before this Court.

This limited appearance by the undersigned attorney is strictly on behalf of its client NIR CAP, LLC (Isaac Eisenberg, Principal), being the Petitioning Creditor in Case Number 13-40684(cec), previously pending against the Debtor 107 EAST 60<sup>TH</sup> STREET ASSOCIATES, LLC, before the Court in the Eastern District of New York, which case was 'closed' and combined and consolidated with the case listed first above before this

Court under Case Number 12-14133(scc) previously pending against the Debtor 107 EAST 60<sup>TH</sup> STREET ASSOCIATES, before this Court in the Southern District of New York.

This limited appearance by the undersigned attorney is strictly on behalf of its client NIR CAP, LLC (Isaac Eisenberg, Principal), and is strictly for the purpose to be listed on the Service List for Notice and Service of all papers and for being listed on the ECF list for the combined cases; being that the name and listing of the undersigned attorney was dropped from both cases when the two (2) cases were combined in the Southern District of New York; as such, the undersigned attorney has not been electronically served with any of the additional papers filed in the combined cases since consolidation.

Accordingly, the undersigned attorney, pursuant to, inter alia, Federal Rules of Bankruptcy Procedure 2002 and 9010(b), requests that any and all notices given or required to be given in this case and any related case(s), and all papers served or required to be served in this case and any case(s) consolidated, be delivered and served upon:

LAW OFFICES OF DAVID A. MAHO

715 Church Avenue – Suite 200

Brooklyn, New York 11218

OR BY ELECTRONIC MEANS VIA ECF, after the undersigned be listed on ECF for these combined cases.

**PLEASE TAKE FURTHER NOTICE** that pursuant to section 1109(b) of the Bankruptcy Code, the foregoing demand includes not only the notices and papers referred to in the Federal Rules of Bankruptcy Procedure and Bankruptcy Code provisions specified above but also includes, without limitation, all orders, notices, hearing dates, applications, motions, including motions to expunge and/or reduce claims, petitions, requests, complaints, demands, replies, answers, schedules of assets and liabilities and statement of financial affairs, operating reports, plans of reorganization and liquidation, and disclosure statements, whether transmitted or conveyed by mail, courier service, telegraph, telex, telefax or otherwise, that affect the above-captioned debtor or the its estate, and any related debtor(s) and its (their) estate(s).

Dated: Brooklyn, New York

February 26, 2013

Yours etc.,

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DAVID A. MAHO, ESQ.

Attorney for Petitioning Creditor - NIR CAP, LLC

Under Case Number 13-40684(cec)

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Brooklyn, New York 11218

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Email: [david.a.maho.law@email.com](mailto:david.a.maho.law@email.com)

TO:

Clerk of the United States Bankruptcy Court

Southern District of New York

Clerk of the United States Bankruptcy Court

Eastern District of New York

AND TO ALL OTHER PARTIES, KNOWN AND UNKNOWN, ENTITLED TO NOTICE, VIA ECF